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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,216	10/21/2003	Joseph A. Lang	3191E-000001/COG	2343

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EXAMINER

HSIAO, JAMES K

ART UNIT PAPER NUMBER

3683

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/690,216

Applicant(s)

LANG ET AL.

Examiner

James K. Hsiao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/21/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 5, 14 and 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

Paragraph 35 line 3, "Rear wheels" should be "Front wheels."

Appropriate correction is required.

### *Claim Objections*

2. Claims **5,14,24** are objected to because of the following informalities: The presence of the trademark or trade name "Kevlar" in a claim is not permissible. **(See MPEP 2173.05(u))**

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1-3,5-12,14-23, and 25-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang et al. (US 6223865) in view of Martucci et al. (US-PGPUB 20020144742).

Regarding Claims **1, 11, and 19**, Lang et al. discloses a golf car comprising: a frame supported by a plurality of wheels; an accelerator pedal (**Column 19, line 19**); a

hydraulically operated brake system including a brake pedal movable through an operating stroke, said brake system receiving input from said brake pedal and generating a hydraulic fluid output to control a hydraulically operated braking device(**Column 19,lines 22-24**); a brake pedal locking mechanism (**figure 4, element 84**) operatively cooperating with said brake pedal to provide a locked position beyond an end of said operating stroke, said brake pedal locking mechanism further operable to automatically unlatch said brake pedal from said locked position upon movement of said brake pedal beyond said locked position(**Column 20, lines 43-50**);

Regarding claim 11, a hydraulic brake system where said brake pedal is movable through a first range of motion defining an operating mode wherein said hydraulic brake system applies a varying degree of braking power based on the position of said brake pedal in said operating mode, said brake pedal further movable beyond said operating mode to a locked mode wherein said brake pedal is retained in a position whereby said hydraulic brake system applies braking power to at least one of said plurality of wheels sufficient to preclude rotation thereof(**Column 19,lines 51-56**), said locked mode presenting a single audible indication to an operator upon entry thereof (**Column 19,lines 60-64**). It is inherent that when a detent mechanism is used an audible indication would be present.

Regarding claims 8,9,17,20,and 21, Lang teaches a kick off mechanism that couples the accelerator with the brake lock mechanism (**figure 4, element 170**) and that unlatches the lock when the accelerator is stepped on (**column 19, lines 25-31**). Lang et al further discloses a brake system that operates in a normal mode by partially

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depressing said brake pedal and wherein said brake system operates in a parked mode by depressing said brake pedal further, and wherein when said brake system is in the parking mode, said brake system may be released by depressing one of said brake pedal and accelerator pedals (**column 19, claim 1**).

Regarding claims **10,18, and 22**, Lang teaches an accumulator for storing braking energy when in a parking mode, said accumulator maintaining a predetermined minimum hydraulic pressure throughout said brake system when in parking mode or operation. (**Column 19, claim 2**).

Regarding claims **1,3,5-7 11, 12,14-16,19,23, and 25-27** Lang et al. lacks a flexible brake line, Martucci teaches a brake line fluidly coupled between said brake pedal and said hydraulically operated braking device for carrying said hydraulic fluid output (**column 1, paragraph 4**), said brake line having a flexible inner member and a braided outer member (**figure 1, element 13**); Martucci further teaches a flexible brake line inner member made is a PTFE tubular member (**column 2, paragraph 12**); a braided outer member made from aramid fibers (Kevlar and *nylon (a para-aramid)*) (**column 8, claim3**); and a flexible cover member disposed about the flexible inner member and the braided member (**column 3, paragraph 14**).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the flexible brake line of Martucci into the golf car of Lang et al. because it is more cost effective and implemented with more ease then the conventional hydraulic line.

Regarding claims **2 and 19**, Lang et al also lacks a brake line of sufficient size. Martucci teaches a braided outer member is sized to closely conform to an outer shape of said flexible inner member to prevent radial expansion of said flexible inner member **(column 6, paragraph 31)**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the sized brake line of Martucci with the golf car brake assembly of Lang et al. because it would increase the tensile strength of the inner PTFE tube thus preventing replacement of the line due to leaks or bursts.

4. Claims **4,13,and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang et al. (US 6223865) in view of Martucci et al. (US-PGPUB 20020144742) and in further view of Martucci et al. (US-PGPUB 20010018933).

Regarding claims **4,13,and 24**, Lang et al. discloses as discussed above. Lang et al lacks a stainless steel braided material. Martucci et al. teaches a braided stainless steel member. **(Column 9, lines 36-37)**

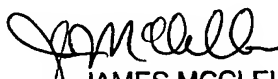
It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the stainless steel of Martucci et al. as a material for the braided member of Martucci et al. because of the physical properties of stainless steel. The physical properties would protect against the elements and physical damage.

**Conclusion**

5. Green et al. (US 5445191) and Albino (US 5430603) also disclosed a hydraulic brake hose made from one or more layers of elastomer and braided members. King (US 5381834) teaches a hydraulic brake hose for carrying high-pressure fluids and having a reinforced layer with wear reducing fibers.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James K. Hsiao whose telephone number is 571-272-6259. The examiner can normally be reached on Monday through Friday 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James S. McClellan can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
JAMES MCCLELLAN  
SUPERVISORY PATENT EXAMINER  
11/6/06

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKH